

**CITY OF EUREKA
CITY COUNCIL/
REDEVELOPMENT AGENCY
AGENDA**

Marian Brady	1 st Ward
Linda Atkins	2 nd Ward
Mike Newman	3 rd Ward
Melinda Ciarabellini	4 th Ward
Lance Madsen	5 th Ward



Frank Jäger, Mayor

**REGULAR MEETING
TUESDAY, FEBRUARY 15, 2011
CLOSED SESSION 4:00 P.M.
REGULAR SESSION 6:00 P.M.
COUNCIL CHAMBER
531 K STREET
EUREKA, CA 95501**

David Tyson, City Manager
Pam Powell, City Clerk
William Bragg, Interim City Attorney

CLOSED SESSION

If closed session items cannot be completed by 5:55 P.M., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the next regular meeting.

A. PUBLIC COMMENT PERIOD

(Limited to 3 minutes each speaker on closed session agenda items only)

B. Conference with labor negotiators

Agency designated representatives: Gary M. Bird for City of Eureka

Employee organization: Eureka Firefighters' Local #652 (EFL), Eureka Fire Officers Local (EFOL)

Pursuant to California Government Code Section 54957.6

C. Conference with legal counsel-anticipated litigation

Significant exposure to litigation: Two cases.

Pursuant to California Government Code Section 54956.9(b)

D. Conference with real property negotiators - Property: APN 001-054-45 and 001-054-13

Agency negotiator: David W. Tyson for the City of Eureka

Negotiating Parties: Eureka Waterfront Partners

Under negotiation: price, terms, and conditions

Pursuant to California Government Code Section 54956.8

E. Conference with labor negotiators

Agency designated representatives: David Tyson for City of Eureka

Employee organization: Unrepresented management, mid-management, and confidential employees.

Pursuant to California Government Code Section 54957.6

F. Conference with legal counsel-existing litigation

Name of case: United States of America v. City of Eureka et. al; Case No. C085725

Pursuant to California Government Code Section 54956.9(a)

REGULAR SESSION – 6:00 P.M.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

REPORT OUT OF CLOSED SESSION

MAYOR’S ANNOUNCEMENTS

COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS

Councilmember Brady: Humboldt County Convention & Visitor’s Bureau
Announcement

BOARD/COMMISSION REPORTS

Keep Eureka Beautiful – Award Presentation

PUBLIC COMMENT PERIOD

This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. You may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to City Council Minute Order dated May 4, 1989, City Council policy is to limit each speaker to three (3) minutes. Such time allotment or portion thereof shall not be transferred to other speakers. Pursuant to City Council Minute Order dated June 6, 2000, the public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item.

Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.

1. Is there any person in the audience who wishes to address the Council at this time?

CONSENT CALENDAR

Notice to the Public: *All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a Councilmember or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately.*

2. Council meeting minutes.
Recommendation: Approve the regular Council/Redevelopment Agency Board meeting minutes of January 4, 2011 and the special Council/Redevelopment Agency Board meeting minutes of January 4, 2011 as submitted.
(City Clerk)
3. Claim for Damages - Humboldt Property Management
Recommendation: Reject the application for leave to present late claim for damages.
(City Attorney)
4. Appropriation of Donated funds for Eureka Volunteer Patrol Equipment Purchase
Recommendation: 1. Authorize appropriation of donated funds to Account # 110-42100-7490 for the purchase of (1) Toughbook laptop computer and accessories.
(Police Chief)
5. Finance Department Record Destruction List
Recommendation: Adopt a Resolution of the City Council of the City of Eureka to Authorize the Destruction of Certain Records.
(Finance Director)
6. Request for Exception to the Hiring Freeze
Recommendation: 1. Approve an exception to the hiring freeze for the Community Development Director position.
(Personnel Director)
7. Request for Exception to the Hiring Freeze
Recommendation: 1. Approve an exception to the hiring freeze for a Treatment Plant Operator I/II position.
(Personnel Director)
8. 'C' Street Market Square & Parking Lot Utilities, Bid No. 2008-20
Recommendation: 1. Accept 'C' Street Market Square & Parking Lot Utilities, Bid No. 2008-20.
2. Authorize filing of a 'Notice of Completion' at the Office of the County Recorder.
(Assistant City Manager)

9. Eureka Police Department General Fund Appropriation
Recommendation: Appropriate \$25,000 from the General Fund to purchase Police Department equipment; to be offset by \$25,000 in unanticipated revenue received for CAD/RMS billing.
(Police Chief)
10. Reservoir Maintenance & Security Project Phase 3-Roof Structure Recoating.
Recommendation: Reject all bids on the Reservoir Maintenance and Security Project Phase 3, Bid No. 2011-9.
(Assistant City Manager)

ORDINANCES/RESOLUTIONS

11. Transient Occupancy Tax Lien
Recommendation: Introduce, waive reading, and read by title only Bill No. 834-C.S., An Ordinance of the City of Eureka Amending Chapter 35 of the Eureka Municipal Code to Authorize the use of Lien Procedures for the Collection of Delinquent Transient Occupancy Taxes.
(City Manager)
12. Measure N, the Marina Center LCP Amendment Ballot Measure
Recommendation: 1. Waive reading, read by title only, and adopt Bill No. 829-C.S., An Ordinance of the People of the City of Eureka, State of California, an ordinance making findings and amending the City of Eureka Local Coastal Program land use plan to allow and establish regulations for the Marina Center mixed-use development project; and
2. Waive reading, read by title only, and adopt Bill No. 830-C.S., An Ordinance of the People of the City of Eureka State of California, an ordinance making findings and amending the City of Eureka Local Coastal Program Implementation Plan to allow and establish regulations for the Marina Center mixed-use development project; and
3. Adopt Council Resolution, a "Resolution of the City Council of the City of Eureka, California, submitting the Local Coastal Program Amendment contained in the voter approved Measure N, the 'Marina Center Local Coastal Program Amendment Ballot Measure' to the California Coastal Commission for certification".
(Community Development Director)

REPORTS/ACTION ITEMS

13. Marine Life Protection Act Initiative Update

- Recommendation:
1. Receive a report from the Community Development Department; and
 2. Receive a presentation from Adam Wagschal providing an update on the North Coast MLPA Initiative process and introducing the completed North Coast Pre-MLPA Community-Based Socioeconomic Characterization and Risk Assessment.
- (Community Development Director)

14. Eureka Redevelopment Agency Web Site

- Recommendation:
- Receive Report on new Redevelopment web site.
- (Redevelopment Director)

15. **Redevelopment Agency** - Martin Slough Interceptor Phase 1-Consultant Services

- Recommendation:
1. Approve an expenditure of \$700,000 in Redevelopment EPFA Series "B" Lease Revenue Bond funds for Phase I of the Martin Slough Interceptor construction project; and
 2. Authorize staff to prepare and execute contracts with Martin Slough Interceptor project.
- (Assistant City Manager)

CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS

Eureka Police Report

ADJOURNMENT

If open session items cannot be completed by 9:30 P.M., the meeting may be adjourned to the next regular meeting or Council may vote to extend the meeting.

NOTICES

- The City Council agenda and supporting documents are available for public review on the Friday afternoon prior to the Tuesday meeting at the City Clerk's Office, the Eureka Humboldt County Library and on-line at www.ci.eureka.ca.gov.
- The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon the request and consensus of the Mayor and Council.
- Any writing that is a public record not exempt from public disclosure and relating to an agenda item for open session of the City Council is available for public inspection at the Office of the City Clerk, 531 K Street, Room 207, Eureka, CA 95501.
- The meeting rooms are ADA accessible. Accommodations and access to City meetings for people with special needs must be requested of the City Clerk at 441-4175 72 hours in advance of the meeting. This agenda and other materials are available in alternate formats upon request.
- All persons in attendance at public meetings are requested to observe the following rules of civil debate:
 1. We may disagree, but we will be respectful of one another.
 2. All comments will be directed to the issue at hand.
 3. Personal attacks are unacceptable.

Applauding or other displays of approval/disapproval are discouraged.

- Regular City Council/Redevelopment Agency meetings are broadcast live by Humboldt Access on Cable Channel 10. Council meetings can also be viewed on line at www.accesshumboldt.net – Search archives “Eureka City Council Meetings”.
- To minimize distractions, please be sure all personal communication devices are turned off or on silent mode.

Questions? Please e-mail ppowell@ci.eureka.ca.gov or contact the City Clerk's office at (707) 441-4175.